

REMARKS

Upon entry of this Amendment, claims 1, 22 and 34 are amended, and claims 44-49 are added, leaving claims 2-21, 23-33 and 35-43 unchanged.

The Applicant thanks the Examiner for the telephonic interview on July 2, 2008 mentioned above. In the telephonic interview, the terms “scoop”, “container” and “receptacle” were discussed in detail, as was the proposal by the Applicant’s Representative to include one of these limitations in the independent claims. Figures 1, 12 and 13 of the present application were also discussed in connection with these terms. In this regard, the embodiment illustrated in Fig. 1 of the present application shows a first wall (adjacent sachet portion 19) positioned at an obtuse angle from a second wall (adjacent squeegee portion 20), whereas the embodiment of Figs. 12 and 13 of the present application show the first wall positioned at about a right angle with respect to the second wall. Also, an agreement was reached between Examiner Patel and the Applicant’s Representative (Julianne M. Smith) that if the independent claims of the present application were amended to incorporate reference to the “scoop” of the various embodiments, the combination of features and limitations of the independent claims would be defined over the prior art of record.

Reference to a scoop (and its relationship to other features and elements of the claimed invention) is hereby added to independent claims 1, 22, and 34, and is used to describe a structure that at least partially defines a receptacle shaped or adapted to retain a quantity of material. Claims 44-49 are also hereby added to further define the structure of the scoop. As also discussed in the Examiner’s Interview, the term “scoop” is a well-known, well-recognized, and well-defined structure.

On pages 2-4 of the Office Action, claims 1-19 and 21-39 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,092,255 issued to Kim in view of U.S. Patent No. 5,094,559 issued to Rivera. On page 5 of the Office Action, claims 20 and 40-43 are rejected as being unpatentable over Kim and Rivera and further in view of U.S. Patent No. 4,823,427 issued to Gibbs.

Claim 1 is hereby amended, and calls for:

A spill cleaning device comprising:

 a scoop adapted to retain a quantity of material;
 a cleaning pad member coupled to the scoop;
 at least one squeegee at least partially defining a blade connected to said cleaning pad member and
 at least one sachet member connected to said cleaning pad member.
(Amendment marks not shown).

Claim 22 is also hereby amended, and calls for:

A spill cleaning device comprising:

 a scoop adapted to retain a quantity of material;
 a cleaning pad member coupled to the scoop;
 at least two squeegees, each squeegee at least partially defining a blade connected to said cleaning pad member and
 at least one sachet member connected to said cleaning pad member.
(Amendment marks not shown).

Claim 34 is also hereby amended, and calls for:

A method of absorbing a spill on a surface and cleaning the surface with a single device comprising:

 placing a cleaning pad member with at least one squeegee at least partially defining a blade and at least one sachet member on a surface with a spill;
 moving the device toward the spill with the squeegee positioned forward to collect solid debris;
 scooping the solid debris with a scoop coupled to the cleaning pad member;
 retaining the solid debris within the scoop; and
 collecting the liquid debris with the cleaning pad member.
(Amendment marks not shown).

In contrast, and as discussed with the Examiner in the July 2, 2008 telephonic Examiner's Interview mentioned above, Kim discloses a squeegee/sponge/scraping tool 10a that includes a scraping tool 12, a squeegee 14, and a sponge 17, without any element or structure resembling a scoop or performing the function of a scoop. Accordingly, the Applicant respectfully submits that Kim fails to teach, describe, or suggest, among other things, a spill cleaning device having a scoop adapted to retain a quantity of material, a cleaning pad member coupled to the scoop, and at least one sachet member and one or more squeegee members (each squeegee member at least partially defining a blade) connected to the cleaning pad member as claimed in amended claims

1 and 22, or a method of absorbing a spill and cleaning a surface with a single device, in which a cleaning pad member with at least one squeegee and at least one sachet member is placed on a surface and moved therealong to collect solid debris, and in which the solid debris is scooped and retained by a scoop coupled to the cleaning pad member as claimed in amended claim 34.

Rivera fails to cure the deficiencies of Kim. Rivera discloses a disposable cleaning pad 20 having multiple layers, such as rupturable packets 28 and pouches 50 that contain liquid material 54. However, Rivera also fails to teach, describe, or suggest, among other things, a spill cleaning device having a scoop adapted to retain a quantity of material, a cleaning pad member coupled to the scoop, and at least one sachet member and one or more squeegee members (each squeegee member at least partially defining a blade) connected to the cleaning pad member as claimed in amended claims 1 and 22, or a method of absorbing a spill and cleaning a surface with a single device, in which a cleaning pad member with at least one squeegee and at least one sachet member is placed on a surface and moved therealong to collect solid debris, and in which the solid debris is scooped and retained by a scoop coupled to the cleaning pad member as claimed in amended claim 34. Accordingly, Kim and Rivera, alone or in combination, fail to disclose all of the claimed elements and features of amended claims 1, 22 and 34.

For these and other reasons not discussed herein, the Applicant respectfully submits that amended claims 1, 22 and 34 are patentable over Kim and Rivera, taken alone or in combination. Withdrawal of the 35 U.S.C. §103(a) rejections of claims 1, 22, and 34 is therefore respectfully requested.

Claims 2-21, 23-33, and 35-43 each ultimately depend from amended independent claims 1, 22, and 34, respectively, and are therefore allowable based upon amended independent claims 1, 22, and 34 and upon other features and elements claimed in claims 2-21, 23-33 and 35-43 but not discussed herein. Withdrawal of the 35 U.S.C. §103(a) rejections of claims 2-21, 23-33 and 35-43 is also therefore respectfully requested.

Response, Amendment, and Examiner's Interview Summary dated July 7, 2008
Response to Office Action mailed on March 5, 2008
Applicant Docket No. JD-326-US

The Examiner is invited to contact the undersigned Applicant's Representative if she believes discussion of this case would be helpful in advancing prosecution of the pending claims.

Respectfully submitted,



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JD-326-US

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